

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	2:15-CR-168
)	
v.)	CHIEF JUDGE SARGUS
)	
JOHN ANDERSON RANKIN)	
)	
Defendant.)	

OPINION AND ORDER

On May 30, 2017, Defendant, proceeding *pro se*, filed a *Motion to Strike Government Motions Improperly Served*. (ECF No. 63.) On June 1, 2017, the Government filed a *Memorandum in Response to Defendant's Motion to Strike*. (ECF No. 72.) The matter is ripe for consideration.

On May 18, 2017, this Court held a hearing on Defendant's *Motion to Request Hybrid Representation* (ECF No. 41). At that hearing, the Court granted Defendant's request to proceed *pro se*, with the assistance of stand-by counsel. (*See Order*, ECF No. 48.) Defendant's email address was added to the Court's docket sheet, along with the status notification that he was proceeding *pro se*. The Government asserts that it relied upon the email address, "together with his status as '*pro se*,' on the docket page for this case." (ECF No. 41, at p. 1.) The Government asserts that it "reasonably relied upon the information regarding the defendant found on the Clerk of Court's electronic site for this case, and reasonably believed that ECF filings were accessible to defendant, and that he could print one copy of each document without charge." (ECF No. 72, at p. 2.)

The Government further asserts that “[a]ny filings the government has made have been so served through the ECF system, at least until May 30, 2017, when the government supplemented its ECF filing of its *First Government Motion to Continue Trial and to Reset Time to Respond to Pretrial Motions* (Doc. #69) by mailing a copy of that motion to the defendant. . . .” (ECF No. 72, at p. 1.)

A review of the docket shows that, prior to May 30, 2017, the Government filed one motion on May 25, 2017, (ECF 58), and Defendant responded to that motion on May 30, 2017. (ECF No. 59.) Thus, it is clear that Defendant was not prejudiced in his ability to respond to the Government’s motion. The Government asserts that, since that filing, it has supplemented its service by mailing a copy of its filings to Defendant’s listed address. In view of the foregoing, Defendant’s motion to strike is without merit.

Accordingly, Defendant’s *Motion to Strike Government Motions Improperly Served* (ECF No. 63) is **DENIED**.

IT IS SO ORDERED.

7-12-2017
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE